

**REMARKS**

The final Office Action mailed November 30, 2004, and the prior art relied upon therein, including that prior art newly relied upon, have been carefully studied. Upon entry of the present amendment, the claims in the application will be reduced to claims 17-21 and 24-27. The applicants respectfully maintain that these claims call for novel and unobvious subject matter under §§102 and 103, and therefore should be allowed. Accordingly, favorable reconsideration, entry of the amendments presented above and allowance are all respectfully requested.

The amendments presented above reduce the issues and do not create any new issues. Features added to the independent claims above come to a large extent from claims previously pending including claims 3-6, 13 and 14, and also claims 22 and 23.

Claims 3-6, 17-21 and 24-29 have been rejected under §102 as anticipated by Nakamoto et al USP 6,417,606 (Nakamoto). This rejection is respectfully traversed.

Applicants do not see that claims 17, 18, 24 and 25, let alone the claims which depend therefrom, are anticipated by Nakamoto. For example, applicants do not see that Nakamoto discloses a crystalline thin film cold cathode consisting of a

transparent conducting material of one of the materials specified in applicants' claims.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 13, 14, 17, 18, 26 and 27 have been rejected as anticipated by Chalamala et al USP 6,091,190 (Chalamala). This rejection is respectfully traversed.

The object of the present invention is to present an electron emission element and/or a transparent type flat display provided with an electron emission element which can form a fine structure on a cathode surface evenly and reproducibly with simple working process, so as to increase and stabilize the emission current value.

For achieving the object it is useful and effective to use a cold cathode comprising a crystalline thin film having a plurality of fine projection structure parts pointed in substantially the same direction.

An important characteristic relating to this invention is that the crystalline thin film having the effective structure can be presented by a conductive material. In the explanation of the preferred embodiments in the present application, there is an explanation of characteristics, a transparent type electron emission element and/or a

transparent type flat display provided with the electron emission element.

The rejection states that Chalamala discloses the use of  $\text{In}_2\text{O}_3$  in the crystalline thin film (page 4, third paragraph). However, in Chalamala,  $\text{In}_2\text{O}_3$  is used as a passivation layer for increasing stability, and it is not used or taught for use as an emitter of the electron emission element. In Chalamala, Mo is used for an emitter of the electron emission element, a teaching away from the present invention. For this reason, Chalamala also cannot present a transparent type electron emission element and/or a transparent type flat display.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 22 and 23 have been rejected under §102 as anticipated by Watanabe '956. Applicants need not address this rejection at the present time in view of the deletion above of claims 22 and 23, such deletion being without prejudice to applicants' rights, including those rights provided by §§120 and 119, to proceed with a continuing application to pursue claims of the scope or general scope of claims 22 and 23, if applicants desire to do so.

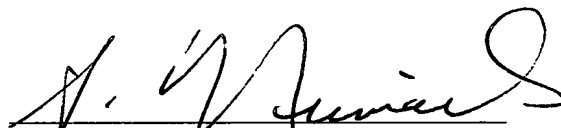
Appln. No. 10/706,927  
Amd. dated February 23, 2005  
Reply to Office Action of November 30, 2004

Applicants believe that all issues have been addressed above and resolved favorably to patentability. Accordingly, applicants again respectfully request favorable reconsideration, entry of the amendments presented above, and allowance.

Respectfully submitted,

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